



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

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PART II—Section 1

प्रधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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No. ४७] NEW DELHI, MONDAY, DECEMBER ५, १९६६/Agrahayana 14, 1888 (saka)

इस भाग में अलग पृष्ठ संख्या की जाती है जिससे कि वह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation.

### MINISTRY OF LAW

(Legislative Department)

New Delhi, the 5th December, 1966/Agrahayana 14, 1888 (Saka)

The following President's Act is published for general information:—

### THE KERALA LAND RELINQUISHMENT (AMENDMENT) ACT, 1966

No. १३ OF १९६६

Enacted by the President in the Seventeenth Year of the  
Republic of India.

An Act further to amend the Kerala Land Relinquishment  
Act, 1958.

In exercise of the powers conferred by section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1965, the President is pleased to enact as follows:—

1. (1) This Act may be called the Kerala Land Relinquishment (Amendment) Act, 1966.

(2) It shall come into force at once.

Short title  
and com-  
mencement

Amendment  
of section 2.

2. In section 2 of the Kerala Land Relinquishment Act, 1958 (here-  
inafter referred to as the principal Act), in clause (d), for the words,  
figures and brackets "the Kerala Agrarian Relations Act, 1960 (Act  
4 of 1961)", the words, figures and brackets "the Kerala Land Reforms  
Act, 1963 (Act 1 of 1964)" shall be substituted.

Kerala Act  
38 of 1958.

Amendment  
of section 4.

3. In section 4 of the principal Act,—

(a) in sub-section (1), for the words "the Collector of the  
district", the words "the Revenue Divisional Officer of the divi-  
sion" shall be substituted;

(b) in sub-sections (2) to (6), for the word "Collector",  
wherever it occurs, the words "Revenue Divisional Officer"  
shall be substituted;

(c) sub-sections (7) and (8) shall be omitted.

Insertion of  
new sections  
4A, 4B and  
4C.

4. After section 4 of the principal Act, the following sections shall  
be inserted, namely:—

Appeal.

"4A. Any person aggrieved by an order passed by the  
Revenue Divisional Officer under sub-section (5) or sub-section  
(6) of section 4 may prefer an appeal within such time as may  
be prescribed to the Collector of the district in which the land is  
situate and the order of the Collector on such appeal shall,  
subject to the provisions of section 4B, be final.

Revision.

4B. (1) The Board of Revenue may, either of its own motion  
or on an application made by any aggrieved person for revision,  
call for the record of any proceeding in which an order has been  
passed by the Collector under section 4A, and pass such order  
thereon as it thinks fit:

Provided that the Board of Revenue shall not of its own  
motion call for the record of any such proceeding after the ex-  
piry of one year from the date of the order of the Collector.

(2) Every application for revision under sub-section (1)  
against an order of the Collector shall be made within one month  
from the date on which the order was communicated to the  
person aggrieved by the order:

Provided that the Board of Revenue may, if it is satisfied  
that the person making the application was prevented by suffi-  
cient cause from making the application within that period, admit  
an application made after the expiry of that period.

4C. Where an application for relinquishment of any land is accepted in consequence of any order passed by the Revenue Divisional Officer under section 4 or the Collector under section 4A or the Board of Revenue under section 4B, such land together with all right, title and interest of the registered holder or, as the case may be, of the registered holder, the cultivating tenant and the intermediaries, if any, in such land shall vest in the Government free of all encumbrances.".

S. RADHAKRISHNAN,  
*President.*

S. P. SEN-VARMA,  
*Secy. to the Govt. of India.*

*Reasons for the enactment*

Under section 4 of the Kerala Land Relinquishment Act, 1958, the District Collector is the authority competent to accept or reject applications for relinquishment of land in favour of the Government. It is considered that implementation of developmental programmes could be accelerated if the power to accept or reject such applications is vested in the Revenue Divisional Officers.

2. Under sub-section (7) of the said section 4, the authority to which an appeal may be preferred against the orders of the District Collector is the Board of Revenue. Since it is proposed to authorise the Revenue Divisional Officers to accept or reject applications for relinquishment of land under the Act, it is considered that the District Collectors should be made appellate authorities instead of the Board of Revenue and the Board of Revenue should be empowered to revise the orders passed by the Collectors in appeal.

3. Clause (d) of section 2 of the Act provides that the expressions "cultivating tenant" and "intermediary" shall have the meanings respectively assigned to them in the Kerala Agrarian Relations Act, 1960. Since the Kerala Agrarian Relations Act, 1960, has been repealed and replaced by the Kerala Land Reforms Act, 1963, it is considered desirable to modify the reference to the Kerala Agrarian Relations Act, 1960, in that clause as reference to the Kerala Land Reforms Act, 1963.

4. The present enactment is intended for the above purposes.

5. The Committee constituted under the proviso to sub-section (2) of section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1965 (12 of 1965), has approved the enactment of this measure as a President's Act.

B. SIVARAMAN,  
Secy. to the Govt. of India,  
Department of Agriculture.